



August 30, 2016

Ms. Eva Parks

(b) (6)

Dear Ms. Parks:

This letter is in response to your U.S. General Services Administration (GSA) Freedom of Information Act (FOIA) request (2016-000986), dated July 26, 2016, in which KXAS-TV requested following:

“[a]ny and all records concerning any and all records showing original request for proposal (RFP), original contract for work, check/payments for work, costs, emails, photos, etc for smoking huts/smoking shelters at any/all GSA facility. (Please search Jan 1, 2014 to present date) -a digital database exists showing breakdown money spent by agency for all smoking huts/smoking shelters. Please include the database in a searchable format like Microsoft Excel or Access. (Please search Jan 1, 2010 to present date) -list of all GSA facilities with smoking huts/smoking shelters. We are requesting the responsive documents be produced in digital (PDF) format via email, citing Section 552.268 of the Texas Public Information Act, which states a governmental body shall make reasonably efficient use of supplies and other resources to avoid excessive reproduction costs.”

Then on August 17, 2016, you further clarified your request to state the following, “I was seeking the United States government and not just the state of Texas. But would like Texas included.”

Please be advised that GSA has not built new smoking shelters, huts, etc., since July 1993, when the agency was prohibited by GSA Order ADM 5800.1A to ‘use any agency funds for the construction or modification of any GSA facility or structure to accommodate smoking’. Later on in August 1999, this Order was reissued by GSA to allow the addition of the following language; ‘Expenditures for routine maintenance such as painting, cleaning, etc. are permissible.’ With regards to GSA funds spent on routine maintenance and cleaning in structures that predate the 1993 prohibition, the

expenditures associated with these tasks are not itemized, but are rolled up in the total contract costs of our O&M and custodial service specifications.

Furthermore, our search of records concerning any and all records showing original request for proposal (RFP), original contract for work, check/payments for work, costs, emails, photos, etc for smoking huts/smoking shelters at any/all GSA facilities in GSA's Public Buildings Divisions failed to identify any records/files responsive to your request.

Since GSA does not have any records within the scope of your request, this does not constitute a denial of records. However, you can appeal the adequacy of GSA's search by writing within 90 days of your receipt of this letter to:

U.S. General Services Administration  
FOIA Requester Service Center (H1F)  
1800 F Street, NW, Room 7308  
Washington, DC 20405

Your appeal must be in writing and should contain a brief statement of the reason(s) why you believe that GSA should have the information being requested. Please enclose copies of your initial request and a copy of this letter. Both the appeal letter and the envelope should be marked prominently "Freedom of Information Act Appeal".

This completes our action on this request. Should you have any press-related questions, please contact Ms. Ashley Nash-Hahn, GSA Press Secretary by email at [media@gsa.gov](mailto:media@gsa.gov). You may also contact the GSA FOIA Public Liaison, Audrey Brooks, at (202) 205-5912 or by email at [audrey.brooks@gsa.gov](mailto:audrey.brooks@gsa.gov) for any additional assistance and to discuss any aspect of your FOIA request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

*Travis Lewis*

FOIA Program Manager